

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW MEXICO**

**KATHLEEN B. WRIGHT,**

Plaintiff,

vs.

No. CIV 1:97-1465 HB/LCS

**DONA ANA COUNTY DETENTION CENTER, et al.,**

Defendants.

**MAGISTRATE JUDGE'S RECOMMENDED PARTIAL DISPOSITION**

THIS MATTER comes before the Court *sua sponte*. On April 5, 1999, the Court held a scheduling conference, and entered an order requiring the Plaintiff to file a paper with the Court stating whether he intended to pursue his claims against the individual Defendants in their official capacity. In that order (docket entry # 50) the Court stated that the Plaintiff's failure to file the paper by April 15, 1999 would be deemed consent to my recommending to the District Judge that the claims against the individual Defendants in their official capacities be dismissed. No paper having been filed by that date, I recommend that the claims against Frank Steele, Eugene Waite, Ken Miyagishima, Gilbert Apodaca, Eduardo Medina, Dona Harp, John Schaefer and Edwin Chavez, in their official capacities, be dismissed.

Within ten days after a party is served with a copy of the Magistrate Judge's Recommended Disposition that party may, pursuant to 28 U.S.C. Sec. 636(b), file written objections. A party must file its objections within the ten day period if that party wants to obtain

review of the Magistrate Judge's Recommended Disposition; in the absence of timely filed objections, neither the District Court nor the Court of Appeals will review it.

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Leslie C. Smith  
United States Magistrate Judge